

**Remarks/Arguments:**

Claims 1-2, 4-7, 9, 11 and 13-16 are pending and stand rejected.

By this Amendment, claims 1, 11, 14 and 16 are amended.

No new matter is added by the claim amendments. Support for the claim amendments can be found throughout the original specification and, for example, in the original specification at the paragraph spanning pages 9 and 10.

**Rejection of Claims 14 and 16 under 35 U.S.C. §112, Second Paragraph**

In the Office Action, at item 2, claims 14 and 16 are rejected under 35 U.S.C. §112, second paragraph, as indefinite.

Applicants have amended claim 14 to depend from claim 13 (which includes antecedent support for the term "the server"). Applicants have also amended claim 16 to include antecedent support for the term "the server".

Reconsideration is respectfully requested.

**Rejection of Claims 1-2, 4-7, 9 and 11 under 35 U.S.C. §102(b)**

In the Office Action, at item 4, claims 1-2, 4-7, 9 and 11 are rejected under 35 U.S.C. §102(b) as anticipated by Aggarwal et al. (U.S. Patent No. 5,675,741, hereafter referred to as Aggarwal).

Reconsideration is respectfully requested.

**Claim 1**

Claim 1 is directed to an information-processing device at a communication source, that communicates with an information-processing device at a communication destination through a communication control device at the communication source, and recites:

... a span of packet life setting part that sets a span of packet life of a bubble packet transmitted from the information-processing device at the communication source in order to leave a transmission history in the communication control device at the communication source to open a port of the communication control device at the communication source to accept a reply packet from the information-processing device at the communication destination responsive to sending the bubble packet at the communication control device of the communication source ...

... the information-processing device at the communication source receives the reply packet from the information-processing device at the communication destination via the opened port of the communication control device at the communication source.

(hereafter referred to as the opened port feature). That is, a port of the communication control device is opened to accept a reply packet from the information-processing device responsive to sending the bubble packet at the communication control device of the communication source. Moreover, the information-processing device at the communication source receives the reply packet from the information-processing device at the communication destination via the opened port of the communication control device.

#### **Aggarwal Reference**

Aggarwal discloses a User Datagram Protocol (UDP) probe packet that includes a Time-to-Live (TTL) field. The UDP probe packet has a destination field set with a destination IP address. The UDP packet is initially transmitted with the TTL field set to a value of one. The transmission of UDP packet probes is repeated with the TTL increasing by one each time. (See Aggarwal at Col. 2, lines 35-47.) That is, in Aggarwal, a series of UDP probe packets are sent from a first node towards a destination IP address. Each successive packet allows the recording in the path list of the next-hop router's IP address returned from each one of the series of UDP packets. Aggarwal, however, is silent regarding the opening of a communication port based on the sending of probe packets. Moreover, Aggarwal is silent regarding reception of a reply packet via an opened port in the communication control device at

the communication source. This is because, Aggarwal does not contemplate the opening of a port for communication.

Accordingly, claim 1 is submitted to patentably distinguish over Aggarwal for at least the above-mentioned reasons.

**Claim 11**

Claim 11, which includes similar but not identical features to those of claim 1, is submitted to patentably distinguish over Aggarwal for at least similar reasons to those regarding claim 1.

**Claims 2, 4-7 and 9**

Claims 2, 4-7 and 9, which include all of the features of claim 1, are submitted to patentably distinguish over Aggarwal for at least the same reasons as those regarding claim 1.

**Rejection of Claims 13 and 15 under 35 U.S.C. §103(a)**

In the Office Action, at item 7, claims 13 and 15 are rejected under 35 U.S.C. §102(b) as unpatentable over Aggarwal in view of Read (U.S. Patent Publication No. 2004/0028035).

Reconsideration is respectfully requested.

Claims 13 and 15, which include all of the features of claim 1 or 11, are submitted to patentably distinguish over Aggarwal for at least the same reasons as claim 1 or 11.

The addition of Read does not overcome the deficiencies of Aggarwal. This is because, Read does not disclose or suggest the opened port feature recited in claim 1 (and similarly in claim 11). Instead, Read discloses terminals 10 and 12 having proxy interface agents 11 and 13. Read further discloses a Network Address Translation (NAT) function 32 through which a communication session must pass. In Read, probe packets are sent by proxy interface agent 11 to external server 40 to create a private-to-public address mapping for information sent in the reverse

direction. (See Read at paragraph [0142].) Read, however, is silent regarding the opening of a port responsive to sending a bubble packet at proxy interface agent 11.

Accordingly, claims 13 and 15 are submitted to patentably distinguish over Aggarwal in view of Read for at least the same reasons as those regarding claim 1 or 11.

**Rejection of Claims 14 and 16 under 35 U.S.C. §103(a)**

In the Office Action, at item 8, claims 14 and 16 are rejected under 35 U.S.C. §102(b) as unpatentable over Aggarwal in view of Bector et al. (U.S. Patent No. 6,687,732, hereafter referred to as Bector).

Reconsideration is respectfully requested.

Claims 14 and 16, which include all of the features of claim 1 or 11, are submitted to patentably distinguish over Aggarwal for at least the same reasons as claim 1 or 11.

The addition of Bector does not overcome the deficiencies of Aggarwal. This is because, Bector does not disclose or suggest the opened port feature recited in claim 1 (and similarly in claim 11). Instead, Bector discloses a system, for dynamically determining whether to dispatch traffic to a local proxy server, or to bypass the proxy server and send the traffic to, for example, a remote server. Bector, however, does not contemplate the opening of a communication port responsive to sending a bubble packet (or other types of packets).

Accordingly, claims 14 and 16 are submitted to patentably distinguish over Aggarwal in view of Bector for at least the same reasons as those regarding claim 1 or 11.

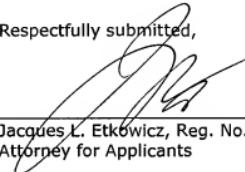
Application No.: 10/590,596  
Amendment Dated: March 1, 2010  
Reply to Office Action of December 1, 2009

MAT-8894US

**Conclusion**

In view of the claim amendments and remarks, Applicants submit the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

  
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Dated: March 1, 2010

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